

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUNIOR GRIFFIN,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/28/2024

1:16-cr-656-GHW-15

ORDER

GREGORY H. WOODS, United States District Judge:

On January 8, 2019, the defendant was sentenced principally to a term of imprisonment of 120 months on Counts 1 and 2, to be served concurrently.

On November 27, 2023, the defendant filed a motion (the “Motion”) requesting that this court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendment which went into effect on November 1, 2023 and applies retroactively. Dkt. No. 1020. The United States Probation Department has issued a report indicating that the defendant is not eligible for a sentence reduction.

The Court has considered the record in this case, and the Motion, pursuant to 18 U.S.C. § 3582(c)(2).

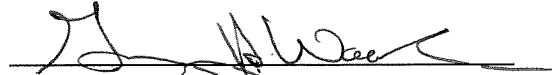
It is hereby ORDERED that the defendant is ineligible for a reduction in his sentence because the defendant was sentenced to the mandatory minimum term of imprisonment and the Court is not able to impose a sentence below the required statutory minimum sentence. As a result, the Motion is denied.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 1020, and to mail a copy of this order, together with the Court's order filed at Dkt. No. 1033, to Mr. Griffin by first class mail.

SO ORDERED.

Dated: February 28, 2024
New York, New York



GREGORY H. WOODS
United States District Judge